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ABSTRACT

This study examined issues regarding children who receive special education services outside of their home school district--specifically, reasons for these out-of-district placements in Ohio. The study reviewed relevant documents concerning federal and state requirements and funding, and consulted with Ohio Department of Education (ODE) personnel, 70 parents of children receiving out-of-district services, and 24 school district and regional resource center administrators. The study analyzed reasons for out-of-district placements, implications of such placements, and parental involvement. The study found that 10 percent of children receiving special education services were placed out-of-district, with children having less common disabilities and/or more severe disabilities more likely to be placed out-of-district. It also found that ODE's rules regarding categorical unit funding of special education services should be more flexible and that parents may not fully understand their rights. The study recommended that: (1) ODE actively pursue improved services and training to families of children with disabilities; (2) ODE continue to fund and evaluate alternative approaches to the delivery of special education services; and (3) ODE consider changes to state funding policies to allow local flexibility in providing services while complying with federal regulations. Appendices include survey forms and a statement of state and federal oversight responsibilities. (Contains 18 references.) (DB)

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LEGISLATIVE OFFICE OF EDUCATION OVERSIGHT
Columbus, Ohio

August 1992

OUT-OF-DISTRICT SPECIAL EDUCATION

RR-92-03

SUMMARY

OUT-OF-DISTRICT SPECIAL EDUCATION

The Legislative Office of Education Oversight (LOEO) studied the issues surrounding children with disabilities who receive special education services outside of their home school district. Specifically, this report examines the reasons for these out-of-district placements.

To conduct this study, LOEO staff consulted with personnel from the Ohio Department of Education (ODE), and surveyed 70 parents of children who receive special education services out-of-district, eight school district administrators, and 16 Special Education Regional Resource Center (SERRC) directors. Staff also reviewed numerous documents related to special education.

This is a report of the Legislative Office of Education Oversight to the Legislative Committee on Education Oversight. ***Conclusions and recommendations in this report are those of the LOEO staff and do not necessarily reflect the views of the Committee or any of its members.***

BACKGROUND

During the 1991-92 school year, approximately 182,000 children with disabilities received special education services in Ohio. Ten percent of these children received special education services outside their home school district. The percent of children placed out-of-district varies by disability. Generally, children with less common disabilities are more likely to receive special education services outside of their home school districts than other children with disabilities.

Federal and state statutes ensure basic rights of children with disabilities, and their parents. The children have a right to a free, appropriate public education that meets their individual needs. Additionally, the laws require that children with disabilities be educated in the least restrictive environment.

Parents have a right to participate in the process of identifying, evaluating, and deciding on the placement for their children. This process is documented in the child's Individualized Education Program (IEP). A due process system exists by law as a way to promote the partnership between parents and the school system in the effective provision of services to children with disabilities.

Both the U.S. Department of Education and the Ohio Department of Education's (ODE) Division of Special Education have monitoring and review responsibilities. ODE exercises its oversight responsibilities by conducting periodic Program Review and Evaluation Procedures (PREP) reviews in every school district.

FUNDING OF SPECIAL EDUCATION SERVICES

In Ohio, annual spending for special education for the 1988-89 school year was approximately $1.25 billion from state, local, and federal funding sources. Nearly 95 percent of these funds was provided by the state and school districts.

Availability of funds for special education is important in the decision of where to place children with disabilities. The majority of state funds is distributed in the form of funding to units for special education classes. State support of a full unit requires a minimum number of children with the same disability and within a specific age range. The state will partially fund units that include fewer than the minimum number of children.

STATE FUNDING AND PLANNING DECISIONS

Under federal and state law, ODE has considerable latitude in determining their funding approach and in developing rules governing provision of special education services to children with disabilities. Ohio has chosen to fund "units." A unit is a special education teacher who serves a minimum number of children with the same disability. Ohio's Rules for the Education of Handicapped Children prescribe in detail how special education services must be provided by school districts, including the types and numbers of children who can be served together, the qualifications of staff, and the requirements for housing, facilities, and equipment.

In June 1990, ODE issued a plan for special education for the 1990s. This plan includes eight goals and accompanying strategies for improving special education in Ohio. Some activities suggested in the report have already been initiated, with others scheduled to begin within a year and a half.

FINDINGS

School districts provide special education services using a combination of the state, federal, and local resources available to them. Many districts, especially small ones, feel they cannot economically provide the mandated special education services in their district to all children who require them. As a result, some children with

disabilities receive special education services out-of-district through a variety of arrangements. School districts believe such placements to be a cost-effective means of providing services.

Reasons for out-of-district placements

A combination of factors influences the placement of children out-of-district. The state's policy of funding units by disability category and ODE's rules prescribing exactly how many of what aged children can be served together influence the decision to place children outside their home district. In order to receive full state funding for a unit, two or more districts combine children who have the same disability and are in the specified age range. As a result, children must go to another district to receive services.

District and SERRC administrators would like more flexibility in serving children with disabilities. For the 1991-92 school year, ODE did allow 147 school districts to experiment with four more flexible ways of organizing their special education services. In addition, ODE's plan recommends a review of its special education rules beginning in the fall of 1992.

Access to certified special education teachers and related services personnel is limited in some areas of the state. Districts that combine their special education placements can share these personnel. Availability of appropriate space for special education classes was also cited by school and SERRC administrators as a factor which contributes to the placement of students out-of-district.

The severity or type of disability affects out-of-district placements. For instance, children with severe behavior disabilities are sometimes difficult to place because their behavior, by definition, is considered inappropriate.

The philosophy of the school district can also affect out-of-district placements. Some districts are very reluctant to send their children with disabilities to an outside placement. As a result, all of the children are served in the district.

Implications of out-of-district placements

Several negative consequences of going to school outside the home school district are reported by parents and SERRC and school administrators, including: lengthy travel time, frequent relocation of special education classrooms, and difficulty developing and maintaining friendships and supportive relationships. In addition, parents are uncertain

whether home school districts or districts that serve their children should be held accountable for the quality of those services.

Parental involvement

Parents of children with disabilities seem to understand that their children have the right to a free, appropriate public education. However, they appear unsure about the extent to which the law allows their participation in decisions about their children's education. Such knowledge is especially important to parents when decisions are made regarding what services should be received by their children and where. Little formal training is provided to ensure parental involvement.

RECOMMENDATIONS

LOEO found that ODE's rules regarding categorical unit funding of special education services could be more flexible, and that parents of children with disabilities may not fully understand their rights.

LOEO RECOMMENDS:

* The Ohio Department of Education actively pursue implementation of its goal to improve services and training to families of children with disabilities. Expansion of the Parent Mentor Program would be one way to address this goal.

* ODE continue to fund and evaluate alternative approaches to the delivery of special education services.

* ODE suggest changes to the state's funding policies and the department's rules so they do not increase the likelihood of a child being transported to another school district to receive special education or related services. The goal would be to allow local flexibility in providing services to children with disabilities while maintaining compliance with federal regulations.

TABLE OF CONTENTS

I - INTRODUCTION 1
DESCRIPTION OF SPECIAL EDUCATION 1
SCOPE AND METHODS 2
Methods and data sources 2
REPORT ORGANIZATION 3

II - PREVALENCE OF OUT-OF-DISTRICT PLACEMENTS 4

III - FEDERAL AND STATE REQUIREMENTS AND FUNDING 6
SPECIAL EDUCATION REQUIREMENTS 6
Required process 6
Resolution of disagreements 8
State and federal oversight 8
FUNDING OF SPECIAL EDUCATION 9
Federal funding 9
State funding 10
Local funding 11
STATE FUNDING AND PLANNING DECISIONS 11
Alternative methods of funding and service delivery 12

IV - FINDINGS 14
MULTI-DISTRICT AGREEMENTS 14
REASONS FOR OUT-OF-DISTRICT PLACEMENTS 15
Unit funding 15
Restrictive rules 16
Availability of funds 17
Shortage of personnel 17
Space 17
Hard-to-place children 18
Attitudes and philosophies in the school district 18
IMPLICATIONS OF OUT-OF-DISTRICT PLACEMENTS 19
No alternatives 19
Travel 19
Units are moved 19
Disassociation from the school and community 20
Accountability 20
PARENTAL INVOLVEMENT 20

V - CONCLUSIONS AND RECOMMENDATIONS 23
Parental involvement 23
State funding and rules 24

APPENDICES
A - LIST OF REFERENCES ..... A 1 - A 2
B - PARENT QUESTIONNAIRE ..... B 1 - B 6
C - SERRC AND DISTRICT ADMINISTRATORS SURVEYS ..... C 1 - C 2
D - OVERSIGHT RESPONSIBILITIES ..... D 1 - D 2

CHAPTER I
INTRODUCTION

The Legislative Office of Education Oversight (LOEO) serves as staff to the Legislative Committee on Education Oversight. Created by the Ohio General Assembly in 1989, the Office studies education-related activities funded wholly or in part by the state of Ohio. This research report examines the issues surrounding children with disabilities who attend school outside their home districts. LOEO was directed to undertake this study in response to parental concerns about children with disabilities who receive special education outside their home district.

This is a report of the Legislative Office of Education Oversight to the Legislative Committee on Education Oversight. ***Conclusions and recommendations in this report are those of the LOEO staff and do not necessarily reflect the views of the Committee or any of its members.***

DESCRIPTION OF SPECIAL EDUCATION

Special education is instruction designed to meet the particular needs of children who are gifted, talented, or have a disability. This study focuses on school-age children with disabilities. A child with a disability is eligible to receive special education if the disability interferes with learning. The special instruction may take place in classrooms, homes, hospitals, or institutions.

Approximately 10 percent of Ohio's public school children receive special education. For the 1991-92 school year, public school districts reported a total of 182,016 special education children to the Ohio Department of Education (ODE) through its new Education Management Information System.

Federal and state laws stipulate that children aged three through 21 are eligible for special education if they have a disability. In addition, children with disabilities must receive any "related services" necessary to ensure that they can benefit from the specially designed instruction. These related services often include speech and language instruction, transportation, and physical or occupational therapy.

Federal and state statutes also ensure basic rights to children with disabilities and their parents. The children have a right to a free, appropriate public education that meets their individual needs, and the parents have a right to participate in the process of identifying, evaluating, and deciding on the placement for their child. There are also specified procedures for settling disagreements between parents and schools.

Additionally, the laws require that children with disabilities be educated in the "least restrictive environment." This term means that the child should attend the most normal school setting possible, as close as possible to home. Unless the Individualized Education Program (IEP) requires some other arrangement, the child should attend the school he or she would attend if not disabled.

Determining whether the needs of a child with a disability can be met in a regular classroom is a critical part of the special education placement decision. If the child needs a special class, the location of this special class has a number of implications for the child and his or her family. In Ohio, about 10 percent (18,704) of special education students are placed outside of their home school district.

SCOPE AND METHODS

Various federal, state, and local factors influence the decision to place children with disabilities out of their home school districts. In order to examine these issues, LOEO focused on four questions:

1. What policies and practices are related to out-of-district placements for children with disabilities?

2. What oversight does the Ohio Department of Education provide to ensure compliance with state and federal laws for the education of children with disabilities?

3. What planning and funding issues at the federal, state, and local levels impact the decisions to place children with disabilities out-of-district?

4. Would changes in state laws or ODE rules facilitate more appropriate placements for all children with disabilities in Ohio?

Methods and data sources

LOEO reviewed documents about the implementation of special education, including studies of parent involvement, funding mechanisms, and service delivery. (Appendix A includes a partial list of these documents.) LOEO met with staff of ODE's Division of Special Education to obtain information about state and local funding procedures and oversight activities. Current practices employed by other states for financing and delivering special education services were examined.

In addition, LOEO conducted telephone interviews with 70 parents. These interviews typically lasted 30 minutes. Parents were asked a series of questions about their involvement and experiences with the out-of-district placement of their child. The interview guide appears in Appendix B.

For the parent interviews, each of the 16 Special Education Regional Resource Centers (SERRCs) identified parents whose children were placed out-of-district. By law, telephone numbers of these parents are confidential. To avoid violating this confidence, SERRCs identified parents whom they knew would be willing to participate. In addition, LOEO stipulated that the list should include parents who have had varying experiences with special education services.

To identify the issues related to placing children with disabilities out-of-district, the project team interviewed eight district administrators from across Ohio representing rural, urban, suburban, and central city districts. LOEO also surveyed the 16 SERRC directors through mail questionnaires. The open-ended questions asked of both district and SERRC administrators can be found in Appendix C.

LOEO did not attempt to determine whether individual children have been correctly evaluated or appropriately placed, or to assess the quality of special education and related services in school districts. Special education is also provided to children through the county boards of mental retardation and developmental disabilities (MR/DD), and in the state schools for the blind and the deaf, youth services facilities, and other institutions. The provision of services in these facilities is not within the scope of this study.

LOEO appreciates the assistance and cooperation we received in conducting this study. We especially appreciate the ongoing help provided by staff of the Ohio Department of Education. In addition, LOEO wishes to thank the parents, SERRC directors, and district administrators we interviewed.

REPORT ORGANIZATION

The next chapter describes the prevalence of out-of-district placements of children with disabilities. Chapter III summarizes federal and state requirements and funding for special education. It also describes Ohio's decisions regarding planning and funding of special education. Chapter IV describes LOEO's findings regarding the reasons for out-of-district placements and the implications for children and their families. Conclusions and recommendations are presented in Chapter V.

CHAPTER II

PREVALENCE OF OUT-OF-DISTRICT PLACEMENTS

According to state and federal law a child is eligible for special education services if he or she has one of the following disabilities:

- Developmental disability (includes mental retardation);
- Hearing disability;
- Hearing and vision disability;
- Multiple disability (other than hearing and vision);
- Non-specific disability (ages 3-5);
- Orthopedic disability;
- Other health disability;
- Specific learning disability;
- Speech disability;
- Severe behavior disability; or
- Vision disability.

Recently, autism and traumatic brain injury have been added as separate disability categories. The federal categorization of these disabilities is slightly different, although compatible, with Ohio's definitions.

During the 1991-92 school year, school districts reported that 182,016 Ohio public school children with disabilities, ages birth through 21, were receiving special education services. Eighty-four percent of these children were identified as having one of three types of disabilities: specific learning disability; speech disability; or developmental disability. The remaining 16 percent were distributed among the other eight disability categories.

Approximately 90 percent of Ohio children with disabilities received special education services in their home school district. The remaining 10 percent, 18,704 children, were placed out-of-district. A national study reported the average percent of students placed out-of-district as 17 percent for the 1985-86 school year.

Exhibit 1 lists the number of Ohio children in each disability category and the percent who were placed out-of-district during the 1991-92 school year.

EXHIBIT 1

OUT-OF-DISTRICT PLACEMENT BY DISABILITY IN OHIO 1991-92 SCHOOL YEAR

DISABILITY CATEGORY	TOTAL NUMBER OF CHILDREN STATEWIDE	NUMBER OUT OF DISTRICT	PERCENT OUT OF DISTRICT
Specific Learning Disability	71,042	3,732	5%
Speech Disability	43,377	412	1%
Developmental Disability	39,122	3,326	9%
Multiple Disability	8,857	5,008	57%
Severe Behavior Disability	8,210	2,455	30%
Non-Specific Disability (ages 3-5)	4,688	1,821	39%
Hearing Disability	2,238	877	39%
Orthopedic Disability	2,101	488	23%
Other Health Disability	1,195	95	8%
Vision Disability	1,132	462	41%
Hearing and Vision Disability	54	28	52%
TOTALS	182,016	18,704	10%

Source: Ohio Department of Education, Education Management Information System.

In general, children who have disabilities which do not occur frequently are more often placed out-of-district. For example, children with multiple disabilities represent five percent of all children with disabilities, yet 57 percent of them are placed out-of-district. Children with specific learning disabilities represent almost 40 percent of all children with disabilities; only five percent of them are placed out-of-district.

Of the 18,704 children placed out-of-district, 10,017 (54%) were placed in other school districts and 3,992 (21%) were placed in facilities operated by county boards of MR/DD. The remaining 4,695 (25%) were placed in vocational schools in other districts or joint vocational schools, the Ohio Youth Commission, the Department of Rehabilitation and Corrections, or proprietary institutions.

CHAPTER III
FEDERAL AND STATE REQUIREMENTS AND FUNDING

SPECIAL EDUCATION REQUIREMENTS

With the 1975 passage of the landmark Education of All Handicapped Children Act (Public Law 94-142), federal law emphasized that public schools are responsible for educating all children with disabilities. Federal stipulations include the services that states and districts must provide to children with disabilities, the basic rights of parents and children receiving those services, and the due process procedures for ensuring those rights. In addition, the federal government requires states to monitor compliance with federal laws.

As noted, federal and state laws require school districts to provide children with disabilities a free and appropriate public education, all necessary related services, and a placement in the least restrictive environment possible. Least restrictive environment provisions require school districts to consider a full range of placement options for each child. The continuum of options ranges from full-time instruction in a regular classroom, to placement in a separate classroom located in a separate facility, to home instruction. Full or partial placement in regular classrooms is commonly referred to as "mainstreaming."

The federal government requires each state's department of education to monitor compliance with federal laws by all education providers in the state. This provision establishes a single line of responsibility for the education of all children with disabilities within each state.

Required process

In the process of providing a free and appropriate public education, school districts are required to identify, evaluate, and place children. This process is regulated by specific procedural safeguards designed to ensure the rights of children and the involvement of their parents.

Identification of children with disabilities. The first step in appropriately educating children with disabilities is identification. Ohio school districts must establish an ongoing system to identify children with disabilities who are under twenty-two years of age. Efforts must include establishing a referral system, and often include conducting

a door-to-door census. All information provided to the general public and to parents must be given in the native languages of the various populations in the school district.

Within 30 days of identifying a child believed to have a disability, the school district must provide the parents with notice of procedural safeguards relevant to the identification, evaluation, and educational placement of the child, including how they can obtain, "upon request," Ohio's Rules for the Education of Handicapped Children.

Ohio rules require that each district have written procedures regarding out-of-district arrangements. Out-of-district placement decisions may be considered when a child is first referred for an evaluation.

Evaluation. Prior to conducting an evaluation of a child believed to have a disability, the district must obtain written parental consent. Parents must be informed that their consent is voluntary and may be revoked at any time.

The evaluation determines whether a child is eligible for placement in a special education program or needs related services. Each school district must assemble a group of trained professionals to conduct the "multi-factored evaluation." To identify the child's learning characteristics and educational needs, the evaluation team gathers information about the child's health, such as hearing, motor abilities, and social and emotional status from parents, tests, and other sources.

Districts must reevaluate all special education children once every three years, or more frequently if conditions warrant, or at the request of the child's parent or teacher.

School districts must have written procedures to protect information gathered, stored, used, or destroyed regarding children identified or believed to have disabilities. At any time, parents have the right to access or request an amendment to any of the records about their child. Parents also have the right to obtain an explanation or interpretation of information from any person participating in the educational decisions. In addition, parents must be notified of their right to have an independent evaluation.

Educational placement. An Individualized Education Program (IEP) is a written statement which describes in detail the services to be received by the child with a disability. The IEP includes annual goals and short-term objectives, as well as the child's current level of educational performance, the extent to which the child will be able to participate in regular education, evaluation procedures and criteria for determining achievement of objectives and appropriateness of placement. In addition, school districts must obtain written parental consent for their child's placement in the special education program.

The report from the multi-factored evaluation is used in the development and annual update of a child's IEP. State rules require that an IEP conference take place within 90 days of the parent's consent for an evaluation, and each year thereafter. Accuracy and completeness of IEPs are monitored by ODE.

At the initial IEP conference, the individualized program for the child must be developed cooperatively with the parents, the child (when appropriate), and teachers and other educators. Although not required, an out-of-district representative is often present.

IEPs should provide the location of the child's special education and related services. Adequate notice, information, and a convenient time and location for the IEP conference must be provided to the parent.

Even if a district places a child with a disability in a special education program in another school district, the home district must follow the same procedural safeguards, and have on file a copy of the current multi-factored evaluation team report and the IEP.

Resolution of disagreements

Federal and state laws provide the opportunity to appeal decisions regarding a child's identification, evaluation, IEP, and placement. ODE rules outline steps to resolve disagreements. These steps range from informal mediation efforts between the parents and the school district (including case conferences and administrative reviews), to more formal proceedings involving an impartial due process hearing. Decisions rendered by impartial due process hearings can be appealed to a state-level review through the State Board of Education, and to civil court proceedings.

Two additional options are available to resolve disagreements. Both the state and the federal governments provide complaint management procedures which allow parents or education agencies to file a complaint or appeal a decision. The second option is offered through the U.S. Office of Civil Rights. Written complaints may be filed in accordance with Section 504 of the Rehabilitation Act.

State and federal oversight

ODE's Division of Special Education is responsible for ensuring that special education programs operate in accordance with mandated procedures, standards, and guidelines. ODE exercises its oversight responsibilities by conducting Program Review and Evaluation Procedures (PREP). PREP reviews are periodic and formal methods of

monitoring special education in every school district, and in other agencies serving children with disabilities. Ohio must submit its monitoring procedures to the U.S. Department of Education to obtain federal funds.

ODE is also required to provide technical assistance to school districts for the implementation of the special education mandates. To accomplish this, ODE supports 16 Special Education Regional Resource Centers (SERRCs) to help parents, school districts, county boards of education, county MR/DD boards, and other agencies carry out special education requirements. These centers are geographically distributed around the state.

The U.S. Department of Education is responsible for conducting an on-site review of the state's compliance with oversight responsibilities. A description of federal and state oversight practices is provided in Appendix D.

FUNDING OF SPECIAL EDUCATION

The Ohio Department of Education estimates that total spending for special education by Ohio school districts in school year 1988-89 was approximately $1.25 billion. Federal revenues represented five percent of this amount, with the balance supplied by the state and school districts. School districts' method of accounting for special education expenditures does not allow for separate identification of state and local shares.

Federal funding

Ohio receives federal funds for children aged three through 21 under Title VI-B of the Individuals with Disabilities Education Act (formerly called Education of all Handicapped Children Act). In addition, there are separate federal funds for infants and toddlers, preschool children, and for children who are served by state-supported institutions. Federal funds may not be allocated without an approved state plan. Correspondingly, ODE may not pass through the federal entitlement without an approved local application.

The amount of federal funds for which a school district is eligible is based on the number of children with disabilities receiving services in that district. If a school district has so few children with disabilities that its federal entitlement is less than $7,500, federal regulations require it to consolidate its entitlement with that of another district.

Initially, the 1975 Education of All Handicapped Children Act authorized a federal contribution of 40 percent of the national average cost of educating children with disabilities. As noted, the federal contribution to Ohio in the 1988-89 school year was five percent.

State funding

Ohio's current funding model for serving the needs of children with disabilities was instituted in 1945. This model took the form of "unit funding"; that is, funding a teacher who serves a minimum number of children with the same category of disability. The number of funded units is specified in temporary law in the state's biennial operating budget. The fiscal year 1992 limit is 13,164 for school-age units.

School districts reported a need for 1,264 more units in fiscal year 1992 than were funded. Although districts receive basic aid for children in these unfunded units, this amount is usually far less than what the district would receive if the children were in a state-funded special education unit. As a result, school districts have to make up the difference with local revenues.

The state also provides unit funding to county boards of education, state schools for the deaf and blind, state mental health facilities, the Department of Youth Services, the Department of Rehabilitation and Corrections, and county MR/DD boards--commonly referred to as "169 Boards" from Amended Senate Bill 169 of the 107th General Assembly.

Eighty-one of the 88 county MR/DD boards operate one or more facilities serving school-age children with disabilities. The state currently provides 1,020 (8%) of the 13,164 available units to county boards of MR/DD, primarily for services to children with multiple disabilities. By definition, these units are considered segregated placements, because only children with disabilities attend MR/DD schools.

Focus of state funds. Most state funds for school-age children are distributed across four types of units. The majority (76%) of the units provide teachers for special education classes; that is, separate classes for children with the same disability. Another 23 percent of the units provides "related services" such as speech and language therapy, or occupational and physical therapy. Less than one percent of the units provide "supplemental services teachers." These teachers give the assistance necessary for children with disabilities to be placed in the regular classroom. Another fraction of a percent provides special education units in state institutions.

As noted, the majority of state-funded units support teachers of special education classes. In order to receive full state funding for a special education teacher, districts must have a minimum number of children with the same disability within a four- to five-year age range in the class. Depending on the disability and school level, the minimum is six, eight, or twelve students.

Many Ohio districts do not have enough children with the same category of disability and of the right age level to quality for a full state-funded unit. This is especially true for children with disabilities that do not occur frequently, such as visual or hearing disabilities. In this situation, districts sometimes combine their students with those of other districts to quality for a full state-supported unit, thereby sending some children out-of-district. Another option is for districts to apply for a partial unit from the state and use local funds to cover the remaining cost of hiring a special education teacher.

Local funding

In order to provide the special education and related services necessary to meet children's individual needs, local districts supplement state and federal special education funds. Districts establish locally funded units, or supplement a partially funded state unit and provide the related services required in the children's IEPs. In addition, local districts incur a portion of the cost of transporting children with disabilities to the location of special education services.

STATE FUNDING AND PLANNING DECISIONS

Federal law and regulations allow states to make some key decisions about the implementation of special education programs. The State Board of Education has chosen to fund and deliver school-age special education services by disability categories.

ODE's Rules for the Education of Handicapped Students prescribe in detail the services that must be provided to children with disabilities. The rules specify the number and age ranges of children who can be served together, the professionals who can serve them, and the facilities and equipment which must be available. For example, a special class for children with hearing disabilities is limited to six to ten children, with no more than eight served during any one instructional period, and the ages of the children served together must be within 48 months.

In addition to its ongoing rules, ODE has considered some new directions for the future. In June 1990, it issued a report entitled Ohio Speaks: Working Together to Shape the Future of Special Education (A Special Education Action Plan for the 1990's). The plan includes eight goals and accompanying strategies for special education in Ohio. ODE has already initiated many activities suggested in the report, with others scheduled to begin within a year and a half.

Alternative methods of funding and service delivery

Federal regulations do not require special education and related services to be funded by units or that children receive services by disability category as Ohio's rules do. Although Ohio must report the number of children receiving services according to disability categories, the state is free to serve children with disabilities in any way it chooses, provided: the child receives a free and appropriate public education in the least restrictive environment; parents are involved; and the rights of the children and parents are protected by procedural safeguards.

Ohio subsidizes special education primarily by giving school districts a certain amount of money for approved school-age education units for special education classes. As stated earlier, to receive full funding, these units require that a minimum number of children with the same disability be placed together.

Other states use different funding approaches. One alternative is to provide special education funds to each school district on a per-child basis. This payment could be weighted to reflect the severity of each child's disability or the types of services required. A second option is to reimburse school districts for some portion of their special education expenditures. With either of these approaches, school districts would have access to state funds for however many children they have who need special education services.

Alternatives to serving children according to their disability category are also used in other states. New Jersey organizes its delivery decisions according to students' instructional needs, not disability category. In at least seven other states, services are organized according to the child's placement setting (regular classroom, special class full- or part-time, or home or hospital placement), not the child's disability category.

Goal two of ODE's plan for the 1990s calls for creation of pilot programs designed to improve instruction to children with disabilities. Beginning in the 1991-92 school year, ODE allowed 147 school districts to conduct a two-year experiment with four different ways of organizing their special education services; ways that do not require that

children with the same disability be served together. These four models are permissible under current federal regulations. According to ODE, a total of 387 (3%) of the state-funded units were converted to one of the following models:

Model I: Special and regular educators jointly serve students with and without disabilities full-time in the regular classroom, using the regular education curriculum.

Model II: Special educators serve children with and without disabilities in the special education classroom. Services can be provided across disability categories, using a modified curriculum. This model does not preclude mainstreaming.

Model III: Special educators serve children with disabilities in special education classrooms using a functional curriculum. Services can be provided across disability categories. Due to the nature and severity of the disabilities, students are full-time in the special classroom with limited mainstreaming in nonacademic classes.

Model IV: Special educators, working as consultants, teachers, or tutors serve children with disabilities as needed, where needed, in regular classes, in learning centers, or in special education classes.

Currently, ODE requires an evaluation to determine the effectiveness of these experimental models before it will allow these or other districts to use them in the future.

CHAPTER IV
FINDINGS

Ohio school district administrators must operate their schools with the funds available to them from state, federal, and local sources. Given available resources, and federal and state mandates, district administrators say they try to find the most cost-effective way to provide all the required services to children with disabilities. Sometimes this results in children being sent out-of-district. Although they may be unhappy with some aspects of an out-of-district placement (such as transportation arrangements), 70 percent of the parents LOEO surveyed were very satisfied with the services provided to their child.

MULTI-DISTRICT AGREEMENTS

School districts enter into multi-district and other kinds of agreements to meet the various needs of children with disabilities. Sometimes, county boards of education coordinate arrangements for districts by submitting requests to ODE for some of the special education units in the county. In these cases, the decisions about which types of special education classrooms will be located in which district are collectively made by all the participating districts.

Some school districts have more than one agreement. Pacts are made with their county boards of education for some disability units, and with a nearby city for others. Still other districts enter into agreements with a neighboring district or two, without collectively planning for all of the disability units. Some small districts send students to other districts, but do not receive students.

Districts may also enter into accords beyond their county borders. For children with disabilities that occur infrequently, districts may join together across several counties to establish a state-funded unit.

Some multi-district arrangements place all of a region's children with disabilities in the same school in the belief that this is a cost-effective way to provide the necessary educational and related services.

In addition to the variety of pacts with county boards of education and other school districts, some districts have agreements with their county boards of mental retardation and developmental disabilities (MR/DD). Occupational therapy, physical therapy, speech and language therapy, and adaptive physical education services are also available from the MR/DD facilities.

ODE has given the SERRCs specific responsibilities related to multi-district programs. The SERRCs help establish and support these arrangements.

Districts use a variety of financial arrangements to meet the expenses of multi-district agreements. Sometimes districts trade students. Payments may not be required when an equal number of students is exchanged. County-wide arrangements often require every district to receive some students and send others without any exchange of funds. In other cases, the receiving district charges the home district tuition equal to the average per-pupil expenditure from local tax revenues, a figure based primarily on the cost of serving regular education students in the district.

Another financial arrangement involves the receiving district charging the sending district the difference between what it costs to serve children with various disabilities and what the state provides. This arrangement is referred to as charging "excess costs."

Yet another funding method is similar to an insurance policy for a group of districts. Each district contributes to the total cost based on the proportion that its average daily membership (ADM) represents of the group's ADM, and is thereby guaranteed service for its students. If classroom units are full, and a new child moves into one of the participating districts, the cost of adding a new classroom and teacher is shared.

REASONS FOR OUT-OF-DISTRICT PLACEMENTS

A variety of factors combines to influence the placement of children with disabilities outside their home districts.

Unit funding

The state's policy of unit funding by disability category is an important factor in out-of-district placements. As noted, in order for local districts to be eligible for full state funding of special education units, they need enough children with the same disability and within the same age range. Some districts, especially small ones, do not have enough children to meet these criteria. As a result, districts agree to combine their special education efforts which result in some children with disabilities being sent outside their districts' jurisdictions.

The number of children with a given disability vary from year to year. These variations make it difficult for individual districts to accommodate the different types of special classes needed each year, especially since they cannot move state-funded units

from one disability to another. If the kinds of disabilities in a school population change, districts must return a given unit to ODE, and reapply for another unit that meets their current needs. By combining their students with those from other districts, school officials are able to provide the required services to small and varying numbers of children.

There may be a tendency to maintain the necessary number of children in a unit in order to continue state funding. According to a recent Pennsylvania study, this unintended incentive to keep units full may encourage placement of children with disabilities in more restrictive settings, or may keep them in special classrooms longer than necessary.

Restrictive rules

Another important factor influencing out-of-district placements is ODE's rules which govern how districts must deliver special education services. District and SERRC administrators characterize ODE's rules as rigid. The rules do not allow flexibility in assigning staff, serving the needs of students who are not assigned to units, or in sharing resources. As described by one administrator:

> More flexibility in providing services needs to be allowed. Experimental models are now in place. The time is right to allow for more change at a faster rate. There are currently very tight controls on deviation from the Ohio rules.

If ODE's rules allowed for placement of students across disability categories, administrators report that they could be more responsive to serving children's individual needs. District and SERRC administrators noted they could, for example, have teachers working with groups of children on a particular skill, regardless of each child's disability. Goal three of ODE's plan for the 1990s recommends a review of the department's rules. This evaluation is scheduled to begin in the fall of 1992.

A related issue concerns the focus of the efforts of ODE's Division of Special Education. In the opinion of some administrators, ODE emphasizes monitoring district compliance with federal and state laws and regulations, rather than providing assistance to districts regarding how to best meet the individual needs of children with disabilities. Goal six of ODE's plan addresses the need to improve the instruction of children with disabilities. Toward this end, ODE is to provide resource guides and technical assistance to school districts.

Availability of funds

There is a limit to the funds available to districts from all sources; federal, state, and local. To provide the mandated services in accordance with state funding policies and rules, districts make what they believe are cost-effective arrangements for children with disabilities. Sometimes these arrangements lead to out-of-district placements.

For example, if a district has only three children with visual impairments whose IEPs specify placement in a special education class, the district can apply for partial unit funding from the state to provide the required teacher. The district would have to pay the rest of the cost of the teacher. If, instead, the district placed its three students in a class with three similar students from another district, the multi-district class would be eligible for full unit funding from the state.

Shortage of personnel

SERRC and district administrators note that even if districts were able to afford them, there are not enough qualified personnel for each district to have its own full complement of special education services. By centralizing the specialized personnel, and sending children from various districts to the sites where the personnel are located, districts are able to provide the needed services.

ODE recently identified special education as one of the subject areas for which there is a statewide teacher shortage. An ODE report entitled Ohio Teacher Supply and Demand, 1991 indicated that Ohio needs more teachers trained to provide adapted physical education, and to educate preschool children with disabilities, children with severe behavior disabilities, and children with visual disabilities. The report also identified shortages in the areas of developmental disability education, school nursing, psychology, and speech therapy.

Space

For overcrowded districts, finding a room for a special class can be a problem, even if state and local funding and certified personnel are available. For children who need specially designed facilities, the location of appropriate facilities is an important element of the decision to place a child out-of-district.

Hard-to-place children

The severity of the child's disability affects out-of-district placements. According to one SERRC administrator, regular and special educators are sometimes uncomfortable serving a child who requires intensive services. If there is a placement out-of-district which offers the services needed by the child, a district may place the child there, rather than consider what additional support might be made available within the district to keep the child closer to home.

The placement of children with severe behavior disabilities (SBD) can be especially problematic. Several administrators reported that some districts are reluctant to develop an SBD unit, especially one that serves children from other districts. By definition, the behavior of these children is considered inappropriate. As a result, they are sometimes placed in separate facilities serving only children with SBD.

Attitudes and philosophies in the school district

Attitudes and philosophies also affect out-of-district placements. As described by one SERRC administrator:

> Some districts have a philosophy that "we educate our own." If this is the philosophy, you will see a different emphasis in their decisions. For districts who are committed to serving their students at home, an out-of-district placement isn't even a part of their vocabulary.

The philosophy of a school district is driven by its leadership, including principals and other administrators. According to a 1988 report from the Robert Wood Johnson Foundation, placements in least restrictive environments result from a determined director of special education, assisted by the leadership, teachers, and parents in a school district.

Attitudes of parents are also important. By law, parents share in the placement decisions. Some district administrators have encountered parents who will visit a potential placement and reject it for their child because it is located in a particular city or because it includes children of different races or economic backgrounds.

IMPLICATIONS OF OUT-OF-DISTRICT PLACEMENTS

LOEO found that an out-of-district placement has a number of implications for children with disabilities and their parents.

No alternatives

As noted, some districts take part in multi-district arrangements in which they share the various special education classes located in different districts. One consequence of these multi-district arrangements is that some children have no choice but to go out-of-district to receive their education. Over half (59%) of the parents in the LOEO sample reported having little or no choice about their child's out-of-district placement. One district administrator gave this example:

> If you have a child with a severe behavior disability (SBD), it's a foregone conclusion--if they are primary age they go to one district; if they are other ages they go to another district, since [our] district doesn't have an SBD unit.

Travel

Children who receive special education services out-of-district must travel to wherever the services are located. One administrator reported that children who can least afford to be transported must travel from one district to another. The administrator added, "They lose valuable instruction time, and they can't handle the bus ride." Another district administrator said transportation issues are more common than educational issues when dealing with out-of-district placement problems.

Parents also reported travel as a problem. Nineteen percent of the parents reported the distance traveled or the amount of time spent traveling to and from school as the worst aspect of their child's current placement. Thirty-six percent of the children in the LOEO sample travel an hour or more each way to and from school. One parent said that the transportation creates as many problems as the placement solves.

Units are moved

Some multi-district arrangements periodically shift the location of special education units among the participating districts due to space limitations or the location of the majority of students. As a result, the children assigned to the units are moved to

a new setting, and must become familiar with new surroundings, new people, and new bus routes.

Parents described situations where multi-district special education programs are moved from buildings when the space is needed for regular education classrooms within the district. One parent noted that his child's district has a tendency, when moving classes due to space limitations, to move the special education class first.

Disassociation from the school and community

There are particular consequences for the families of children going to school outside of their home district. Unlike their siblings and neighbors, these children are disconnected from their home school and community. One parent noted that her daughter attends school out-of-district and has sisters in their home school district. It is disappointing when they are unable to participate in activities together.

According to one SERRC administrator, "Leaving the home district results in a sense of not belonging . . . Children are not afforded an opportunity to form friendships." Parents expressed the need to be better linked to a network of parents in the attending district and to available sources of information about their school, community, or local events.

Accountability

The responsibility for a unit shared across districts is often unclear. Parents and SERRC administrators report that it can be difficult to elicit accountability from the home district for the quality of a program housed in another district. As noted by a SERRC administrator: "Most districts don't take ownership of students that are from other districts." One parent characterized the feeling of being out-of-district as "out of sight, out of mind." Another parent told LOEO, "This is the first time in 14 years anyone has asked me if I'm satisfied."

PARENTAL INVOLVEMENT

As noted, federal and state laws require the involvement of parents in the placement process. In LOEO's interviews, twenty-two percent of parents reported having six or more meetings or significant conversations prior to their child's placement. Sixty-two percent said they had two to five contacts. Some, however, expressed reluctance to voice opinions to local school district personnel.

The child's IEP and the IEP conference are primary points for parent and school interaction. All parents reported that their children had some form of an IEP. When asked whether they were given the opportunity to provide any of the information on the IEP for their child, 80 percent of the parents reported that they did provide some of the information.

When asked whether they understood what was in their child's IEP, 94 percent of parents said that they did; six percent said that they did not understand what was in their child's IEP; and one parent said that she understood everything but she did not agree with it.

Parents were asked whether their child's IEP included where the child is to go to school; 79 percent responded yes; 9 percent said no; and 11 percent of the parents said they did not know. One district administrator said that for administrative convenience, location was not identified in the IEP.

Several factors which limit parents' involvement or effectiveness were identified during LOEO interviews. When parents attempt to share the responsibility for appropriate placement, they sometimes risk beginning an adversarial relationship with the school system. While information provided by parent advocacy groups is considered helpful, parents may not use advocacy groups because parents do not want to be perceived as adversarial. A 1989 report of the National Council on Disabilities concluded that "... parent-professional relationships too often are strained and difficult, [they] frequently view each other as adversaries rather than as partners."

In addition, parents surveyed seem to understand that their children have the right to a public education. However, many parents are unsure about the extent to which the law allows them to be involved in the decisions about the education of their children, particularly about placement. Some parents reported that, rather than being actively invited by the district to participate, they initiated their own involvement. As one parent described, "The word got out that my wife and I know what's supposed to happen at the IEP meetings, so the people make sure we get what we want." Other parents expressed that it was years before they felt they understood their rights in the IEP process.

Some parents expressed feelings of frustration, "Basically, you have no choice about anything. You can voice your opinion, but to make the opinions stick or change something, you have to be willing to go through the impartial due process hearing."

SERRC administrators, district administrators, and ODE personnel report that disagreements seldom reach the impartial due process hearing level. According to ODE records, over the past 16 years there have been 135 impartial due process hearings. Thirty two (24%) were initiated because of disagreements between the parent and the school district about placing students with disabilities in other districts or in MR/DD facilities.

Goal seven of ODE's plan urges improvement of services and training to families of children with disabilities. ODE's Parent Mentor Program was created to help achieve this goal. This program funds a parent in each of 10 districts to work with other parents. The mentor's role is to describe and explain special education programs offered by the school district and explain parent participation in the IEP process, including the parents' rights, relevant laws, and the evaluation process.

In addition, mentors collaborate with special education personnel and establish a support group network for parents in the district. One parent stated that she will not go to meetings without her mentor "so that we have someone on our side." Pilot funds were made available by ODE in August 1991.

CHAPTER V
CONCLUSIONS AND RECOMMENDATIONS

During the 1991-92 school year, approximately 182,000 children with disabilities, aged birth through twenty-one, received special education services in Ohio. Ten percent of these children received services outside their home school district. The percent of children placed out-of-district varied by disability.

Federal and state statutes ensure basic rights of children with disabilities and their parents. The children have a right to a free, appropriate public education that meets their individual needs. Additionally, the laws require that children with disabilities be educated in the least restrictive environment.

Parental involvement

Parents have a right to participate in the process of identifying, evaluating and deciding on the placement for their children. This process is documented in the child's Individualized Education Program (IEP). Federal and state laws require the partnership of parents and the school system in order to ensure that appropriate services are provided to children with disabilities.

Although they are supposed to be partners, parents of children with disabilities may not fully understand the extent of their rights. Such knowledge is especially important to parents when decisions are made regarding what services should be received by their child and where. Additional training needs to be provided to ensure parental involvement.

LOEO RECOMMENDS:

* The Ohio Department of Education actively pursue implementation of its goal to improve services and training to families of children with disabilities. Expansion of the Parent Mentor Program would be one way to address this goal.

State funding and rules

Ohio spending for special education in school year 1988-89 was approximately $1.25 billion from state, local, and federal funding sources. Availability of funds for special education is important in the decision of where to place children with disabilities. The majority of state funds is distributed in the form of funding of units for special education classes. The establishment of a fully supported state unit requires a minimum number of students with the same disability and within a specific age range.

Many districts, especially small school districts, cannot meet the minimum enrollment requirements to become eligible for full state unit funding. As a result, some children with disabilities receive special education out-of-district, through a variety of multi-district arrangements. School districts believe such placements to be cost-effective, and parents view them as a way to obtain the services their children require.

Several implications of going to school outside the home school district are reported by parents and SERRC and district administrators, including lengthy travel time, frequent relocation of special education classrooms, confusion regarding accountability for services, and difficulty developing and maintaining friendships and supportive relationships. By being sensitive to these issues, district administrators could diminish the negative impact of out-of-district placements for students and their families.

Ohio's Rules for the Education of Handicapped Children very rigidly defines and describes how special education services must be provided by school districts. State-level funding policies and rules that require children with the same disability to be served together may unintentionally foster out-of-district placements. Out-of-district placements can negatively impact students and their families.

LOEO RECOMMENDS:

* ODE continue to fund and evaluate alternative approaches to the delivery of special education services.

* ODE suggest changes to the state's funding policies and the department's rules so they do not increase the likelihood of a child being transported to another school district to receive special education or related services. The goal would be to allow local flexibility in providing services to children with disabilities while maintaining compliance with federal regulations.

APPENDICES

APPENDIX A
LIST OF REFERENCES

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APPENDIX B
PARENT QUESTIONNAIRE

OUT-OF-DISTRICT SPECIAL EDUCATION STUDY

LENGTH OF INTERVIEW (# minutes)_____ START TIME _____ END TIME _____

PHONE NUMBER _ _ _ - _ _ _ - _ _ _ _

DATE ____/____/____
TIME _____

DATE ____/____/____
TIME _____

DATE ____/____/____
TIME _____

Relationship to child:
MOTHER []
FATHER []
GRANDMOTHER []
GRANDFATHER []
OTHER (specify)_____ []

****

Hello, may I speak with _____. My name is _____, and I work for the State Legislature in Columbus.

[If NO...] When would be a good time to reach them? (day and time) _____ [can talk with others besides moms]

I believe you were contacted by your school district about participating in a study. As I mentioned, my name is _____ and I work for the legislature. We are conducting a study about children with physical and learning disabilities. A part of the study focuses on parents who have children going to school out of their home school district. **Does your child go to the same school they would attend if they did not have a disability?**

YES [] If YES, ask another question to determine whether child attends school within their home school district. Stop interview if child is not out-of-district.

NO []
DON'T KNOW []

I have a short list of questions that I would like to ask you, is this a good time to talk?

YES [] Good, thank you. (Skip to remainder of intro.)
NO [] May I call you back (suggest time, e.g. in an hour)
Would tomorrow morning or afternoon be better?
When would be a good time to call back?
Th k you. I'll call you at _____ tomorrow.
Yo an call me collect at _____.

The questions that have will take about 15 minutes.

Before we start, I anted to let you know that your name (phone number, etc.) will not appear anywhere in our report to the legislature. Your answers will be grouped together with answers from other parents we talk with.

Q: #1 I don't know anything about you or your child at this point, except that your child has a physical or learning disability. Please tell me, is your child a boy or a girl?

BOY []

GIRL []

(a) Instructions: If respondent indicates that more than one child is disabled in the family, probe for the gender of the child who is receiving special education outside the home school district; focus remainder of survey on that child.)

(b) Instructions: If respondent indicates more than one child is disabled and out of district, have respondent select the _____ and focus remainder of survey on that child.)

Q: #2 How old is your son / daughter?

AGE [ ]

Q: #3 What grade is he/she in?

GRADE [ ]

Q: #4 How would you describe your child's disability or condition? (maybe prompt by reading a few categories, e.g. Does your child have a hearing impairment?)

SPECIFIC LEARNING DISABILITY ..... []
SPEECH DISABILITY ..... []
HEARING IMPAIRMENT ..... []
VISION IMPAIRMENT ..... []
BOTH A HEARING & VISION IMPAIRMENT ..... []
ORTHOPEDIC DISABILITY ..... []
OTHER HEALTH DISABILITY ..... []
SEVERE BEHAVIOR DISABILITY ..... []
DEVELOPMENTAL DISABILITY (mental retardation) .. []
DEVELOPMENTAL DISABILITY (other) ..... []
MULTIPLE DISABILITY ..... []
NON SPECIFIC LEARNING DISABILITY ..... []
OTHER (specify) ..... []

NOTE: If parent indicates that child has more than one disability: (a) probe for whether the school district identifies the child as having a multiple disability, and/or, (b) probe for the disability for which the school district has placed your child out-of-district?
Write all disabilities mentioned.

Q: #5 For how many years has your child been in a special education program in school?

NUMBER OF YEARS [ ]

Q: #6 How would you describe the kind of classroom or placement your child is in? Would you say he/she is in: (read options)

BEST COPY AVAILABLE

A REGULAR CLASS FOR ALL SUBJECTS. . . . . [ ]

A SEPARATE CLASS FOR SOME SUBJECTS . . . . . [ ]

A SEPARATE CLASS FOR ALL SUBJECTS, BUT IN A SCHOOL WITH CHILDREN WHO DO NOT HAVE PHYSICAL OR LEARNING DISABILITIES . . . . . [ ]

A SEPARATE SCHOOL FOR ONLY CHILDREN WITH A PHYSICAL OR LEARNING DISABILITY . . . . . [ ]

DON'T KNOW . . . . . [ ]

HOW LONG HAS HE/SHE BEEN IN THIS PLACEMENT? [ ]

Q: #7 How much time does it take for your child to travel to his/her school? (probe for number of miles if respondent does not know travel time)

MINUTES [ ] **or** **MILES** [ ]

Q: #8 On a scale of one to ten, with one meaning not at all satisfied and ten meaning very satisfied, how satisfied are you with your child's current classroom placement ?

(*1*)---2-----3-----4---(*5*)---6-----7-----8-----9---(*10*)

NOT AT ALL SATISFIED EQUALLY SATISFIED/DISSATISFIED VERY SATISFIED

Q: #9 Why did you.. or the school.. decide on the current placement for your son/daughter? (write responses and then code the one most emphasized by respondent)

ONLY SCHOOL WITH RIGHT TEACHER.....[]
ONLY SCHOOL WITH NECESSARY EQUIPMENT..[]
CLASSES ALL FULL IN HOME DISTRICT.....[]
HAD OTHER RELATED SERVICES WE NEEDED..[]
ONLY AVAILABLE/APPROPRIATE PLACEMENT..[]
DISTRICT POLICY.....[]
DON'T KNOW.....[]
OTHER (specify) _____..[]

Q: #10 Would you say that you were very involved... somewhat involved... or not at all involved... in the decision about where your son/daughter should go to school?

VERY INVOLVED []
SOMEWHAT INVOLVED []
NOT AT ALL INVOLVED []

Q: #11 Did you go to a meeting or talk with other school employees before the decision was made to place your child in this classroom?

NO [] (go to Q: #11a)

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Q: #11a Did you want to meet or to talk with a teacher or others school people about where your child would go to school?

YES [] (skip to Q: #12)
NO [] (skip to Q: #12)

YES [] (go to Q: #11b)

Q: #11b How many meetings or talks with teachers or other school employees would you say you had on the topic of where your child should go to school.

NUMBER OF MEETINGS [ ]

Q: #11c What do you remember about the meeting(s)? (probe for: positive and negative experiences, what prevented involvement, who was at the meeting(s), meeting too short/long, chance to ask questions, etc.)

Q: #12 Does your child have an Individualized Education Program, also called an IEP ?

DON'T KNOW [] (Instructions: briefly explain what an IEP is.... An IEP is a written statement or plan for a child with a physical or learning disability who is in need of special education.)

NO [] (skip to Q: #13)

YES [] (go to Q: #12a)

Q: #12a Were you asked to provide any of the information in your son's/daughter's IEP?

NO []
YES [] (probe for what they were asked to provide)

Q: #12b Did you understand what was in the IEP about your son/daughter?

YES []
NO [] (probe for what parent did not understand)

Q: #12c Does your son's/daughter's IEP include where he/she is to go to school and why?

NO []
YES []
DON'T KNOW []

Q: #13 Are there school programs..or school related services you would like your son/daughter to have... but that he/she is currently not getting?

NO [] (go to Q: #14a)

YES [] (probe for what/why) (go to Q: #14b)

Q: #14a (If response is NO to Q: #13) If you were to want more or different school programs for your son/daughter... or if you wanted to change your child's placement... what can you do to try and get these for him/her? (write response and then check as many as applies) Probe for highest level of appeal known.

DON'T KNOW .....[]
WAIT FOR CHILD'S ANNUAL IEP REVIEW .....[]
TALK WITH TEACHER/SPEC ED COORD OR SCHOOL PRINCIPAL ..[]
CONTACT PARENT ADVOCACY GROUP .....[]
HIRE AN ATTORNEY .....[]
GO TO SUPERINTENDENT OF SCHOOL DISTRICT .....[]
REQUEST INDEPENDENT EVALUATION .....[]
PRESENT COMPLAINT TO DISTRICT BD OF EDUCATION .....[]
REQUEST IMPARTIAL DUE PROCESS HEARING .....[]
CONTACT SERRC .....[]
CASE REVIEW BY ODE/STATE BOARD OF EDUCATION .....[]
CO. COURT OF COMMON PLEAS /FED DISTRICT COURT .....[]
OTHER (specify).....[]

Q: #14b (If response is YES to Q: #13) What can you do to try and get these for him/her?... Or what if you wanted to change your child's placement...what can you do? (write response and then check as many as applies) Probe for highest level of appeal known.

DON'T KNOW .....[]
WAIT FOR CHILD'S ANNUAL IEP REVIEW .....[]
TALK WITH TEACHER/SPEC ED COORD OR SCHOOL PRINCIPAL ..[]
CONTACT PARENT ADVOCACY GROUP .....[]
HIRE AN ATTORNEY .....[]
GO TO SUPERINTENDENT OF SCHOOL DISTRICT .....[]
REQUEST INDEPENDENT EVALUATION .....[]
PRESENT COMPLAINT TO DISTRICT BD OF EDUCATION .....[]
REQUEST IMPARTIAL DUE PROCESS HEARING .....[]
CONTACT SERRC .....[]
CASE REVIEW BY ODE/STATE BOARD OF EDUCATION .....[]
CO. COURT OF COMMON PLEAS /FED DISTRICT COURT .....[]
OTHER (specify) .....[]

Q: #15 Please tell me the one best thing and the one worst thing about the process you went through to determine where your son/daughter should go to school?

BEST

WORST

Q: #16 Thank you...That's all the questions I have. Is there anything else that you would like to tell me about your child's education?.... Do you have any questions you would like to ask me?.....

PROBE: If it is not obvious from the interview, ask the parent, "Can you tell me a little more about why you rated your satisfaction with his/her placement a _____?" (refer to Question 8)

THANK YOU ! I REALLY APPRECIATE THE TIME YOU'VE TAKEN TO TALK WITH ME.

As I mentioned earlier, talking with parents is part of a study we are finishing for the legislature in August of this year. If you should have any further questions about the study, please feel free to call me. My name again is _____, and I work for the Legislative Office of Education Oversight, in Columbus.
(614-752-9686)

(If respondent requests copy of study summary, obtain..)
Full Name and Address:

_____
_____
_____

****

Rater's Comments:_____

_____

_____

_____

How reliable was interview ? 1 2 3 4 5 6 7 8 9 10

What was the most important issue identified by the respondent?

_____
_____
_____

END TIME _____**o'clock**

APPENDIX C
SERRC AND DISTRICT ADMINISTRATORS SURVEYS

April 22, 1992

OUT-OF-DISTRICT SPECIAL EDUCATION

SERRC ADMINISTRATOR SURVEY

1. Describe the technical assistance the SERRC provided to school districts during the 1991-92 project year in planning and operating cooperative (multidistrict) special education programs and services.

   Why are these cooperative (multidistrict) special education arrangements necessary?

2. Describe the due process services the SERRC provided during the 1991-92 project year related to out-of-district placement.

3. What are the most important factors that lead to placing students out of district?

4. What are the planning, funding, or other practices that affect out-of-district placement decisions?

   a. at the local level

   b. at the state level

   c. at the federal level

5. What overall changes would you or your staff suggest in planning, funding, or implementation of services to children with disabilities?

Additional Comments:

LEGISLATIVE OFFICE OF EDUCATION OVERSIGHT

April 27, 1992

OUT-OF-DISTRICT SPECIAL EDUCATION

DISTRICT ADMINISTRATOR SURVEY

1. Describe any cooperative (multidistrict) arrangements you have with other districts or county boards of education for out-of-district placement of children with disabilities.

2. What are the most important factors that lead to placing students out of district?

3. What are the planning, funding, or other practices that affect out-of-district placement decisions?

   a. at the local level

   b. at the state level

   c. at the federal level

4. What changes would you suggest in local, state, or federal planning, funding, or other practices related to providing services to children with disabilities?

5. Does ODE do anything different to ensure compliance with laws or regulations for the education of children with disabilities who are placed out of district?

   Do the SERRCs do anything different to ensure safeguards for procedural due process requirements for children with disabilities who are placed out of district?

Additional comments:

APPENDIX D
OVERSIGHT RESPONSIBILITIES

STATE OVERSIGHT

The Ohio Department of Education's (ODE), Division of Special Education is responsible for ensuring that special education programs operate in accordance with mandated procedures, standards, and guidelines. ODE exercises its oversight responsibilities by conducting Program Review and Evaluation Procedures (PREP). PREP reviews are periodic and formal methods of monitoring special education in every school district, and in other agencies serving children with disabilities. Ohio must submit its monitoring procedures to the U. S. Department of Education to obtain federal funds. The PREP activities administered by ODE are summarized below:

Administrative Review. The focus of this review is on the school district's written administrative procedures for special education to ensure compliance with federal and state rules and regulations.

Comprehensive Onsite Review. This is a major evaluation activity which entails interviews with parents, administrators, teachers, and support personnel, and a review of individual student records. At each district, ODE staff are instructed to select a parent whose child is from out-of-district, and to review the records of children who are from out-of-district. If an issue arises during a comprehensive onsite review which remains unresolved or concerns ODE staff, a plan of action is developed by the district.

Selective or Follow-up Reviews. These may include visitation(s) to the school district to ascertain if the district has implemented the plan of action or to pursue a specific concern.

Monitoring of Special Education Federal Funds. This review includes an onsite visitation to school districts to ensure that federal funds are expended in accordance with federal law.

Experimental Model/Request for Proposal Review. This review includes the monitoring of experimental and innovative programs.

ODE staff report that all school districts receive at least one program review or evaluation every three to four years. According to the PREP Coordinator, it is ODE's policy to conduct a comprehensive onsite review in each of the eight major Ohio cities at least every three years. The greatest number of children with disabilities attend school in these urban areas.

There is no specific method for the state to monitor out-of-district placements of children with disabilities. However, according to the PREP Coordinator, it is possible that out-of-district placements receive "a double dose" of state oversight. Files of student records and the programs of both the sending and receiving district receive ODE scrutiny.

In addition, there are certain review questions in each of the six reviews which may reveal issues or prompt further investigation involving children who are placed out-of-district. According to the coordinator of PREP, to date, no reviews have been initiated solely because of a child's placement out-of-district. Two district administrators noted, however, that ODE is quick to investigate parental complaints, including those regarding out-of-district placements.

Technical assistance and corrective action

All of the monitoring activities include providing technical assistance to each individual school district. According to the PREP Coordinator, technical assistance to bring districts into compliance is the focus of the PREP process.

In 1983, ODE developed a process to follow up and provide assistance to those school districts that must carry out a plan of action. SERRC administrators play a role by providing technical assistance to school districts as they prepare for PREP visits or implement a corrective action plan. One district administrator said, "There is much more that SERRCs could do in the area of providing support and coordination if the responsibility was assigned to them and district cooperation was made mandatory."

FEDERAL OVERSIGHT

The U.S. Department of Education, Office of Special Education Programs (OSEP) must conduct a review of each state's effort to monitor local compliance with the Individuals with Disabilities Education Act (P.L. 101-476). States are reviewed every five years.

For OSEP review, Ohio must submit previous monitoring reports, policies and procedures, and other documentation of efforts to implement the mandates required by federal regulations. ODE periodically submits state plans for OSEP's review. During OSEP's five-year review, its staff conduct public hearings, interview ODE personnel, interview local educational staff, and review files of students with disabilities at selected special education programs across the state.

Ohio was reviewed in 1991 by OSEP. The results of this review will not be available until August 1992. LOEO did examine OSEP's 1986 compliance monitoring report, and ODE's response regarding their corrective action. OSEP reported on two areas of deficiencies during its 1986 review of ODE. Both deficiencies were corrected to OSEP's satisfaction.